

IC 33-34-8

Chapter 8. Fees and Costs

IC 33-34-8-1 Version a

Fees and costs

Note: This version of section amended by P.L.85-2004, SEC.15. See also following version of this section amended by P.L.95-2004, SEC.3.

Sec. 1. (a) The following fees and costs apply to cases in the small claims court:

- (1) A township docket fee of five dollars (\$5) plus forty-five percent (45%) of the infraction or ordinance violation costs fee under IC 33-37-4-2.
- (2) The bailiff's service of process by registered or certified mail fee of thirteen dollars (\$13) for each service.
- (3) The cost for the personal service of process by the bailiff or other process server of thirteen dollars (\$13) for each service.
- (4) Witness fees, if any, in the amount provided by IC 33-37-10-3 to be taxed and charged in the circuit court.
- (5) A redocketing fee, if any, of five dollars (\$5).
- (6) A document storage fee under IC 33-37-5-20.
- (7) An automated record keeping fee under IC 33-37-5-21.
- (8) A late fee, if any, under IC 33-37-5-22.
- (9) A judicial administration fee under IC 33-37-5-21.2.

The docket fee and the cost for the initial service of process shall be paid at the institution of a case. The cost of service after the initial service shall be assessed and paid after service has been made. The cost of witness fees shall be paid before the witnesses are called.

(b) If the amount of the township docket fee computed under subsection (a)(1) is not equal to a whole number, the amount shall be rounded to the next highest whole number.

As added by P.L.98-2004, SEC.13. Amended by P.L.85-2004, SEC.15.

IC 33-34-8-1 Version b

Fees and costs

Note: This version of section amended by P.L.95-2004, SEC.3. See also preceding version of this section amended by P.L.85-2004, SEC.15.

Sec. 1. (a) The following fees and costs apply to cases in the small claims court:

- (1) A township docket fee of five dollars (\$5) plus forty-five percent (45%) of the infraction or ordinance violation costs fee under IC 33-37-4-2.
- (2) The bailiff's service of process by registered or certified mail fee of thirteen dollars (\$13) for each service.
- (3) The cost for the personal service of process by the bailiff or other process server of thirteen dollars (\$13) for each service.
- (4) Witness fees, if any, in the amount provided by IC 33-37-10-3 to be taxed and charged in the circuit court.

- (5) A redocketing fee, if any, of five dollars (\$5).
- (6) A document storage fee under IC 33-37-5-20.
- (7) An automated record keeping fee under IC 33-37-5-21.
- (8) A late fee, if any, under IC 33-37-5-22.
- (9) A judicial insurance adjustment fee under IC 33-37-5-25.

The docket fee and the cost for the initial service of process shall be paid at the institution of a case. The cost of service after the initial service shall be assessed and paid after service has been made. The cost of witness fees shall be paid before the witnesses are called.

(b) If the amount of the township docket fee computed under subsection (a)(1) is not equal to a whole number, the amount shall be rounded to the next highest whole number.

As added by P.L. 98-2004, SEC. 13. Amended by P.L. 95-2004, SEC. 3.

IC 33-34-8-2

Transcripts

Sec. 2. The person who is designated by a judge to prepare transcripts may collect a fee of not more than five dollars (\$5) for each transcript from a person who requests the preparation of a transcript.

As added by P.L. 98-2004, SEC. 13.

IC 33-34-8-3

Costs and fees

Sec. 3. (a) Payment for all costs made as a result of proceedings in a small claims court shall be to the _____ County Small Claims Court _____ Division (with the name of the county and township inserted). The court shall issue a receipt for all money received on a form numbered serially in duplicate. All township docket fees and late fees received by the court shall be paid to the township trustee at the close of each month.

(b) The court shall:

- (1) semiannually distribute to the auditor of state all automated record keeping fees received by the court for deposit in the state user fee fund established under IC 33-37-9; and
- (2) distribute monthly to the county auditor all document storage fees received by the court. The county auditor shall deposit fees distributed under this subdivision into the clerk's record perpetuation fund under IC 33-37-5-2.

As added by P.L. 98-2004, SEC. 13.

IC 33-34-8-4

Quarterly accounting

Sec. 4. Fees, costs, and any other amounts collected by the courts shall be accounted for quarterly to the clerk of the circuit court on:

- (1) March 31;
- (2) June 30;
- (3) September 30; and
- (4) December 31;

of each year.

As added by P.L.98-2004, SEC.13.